

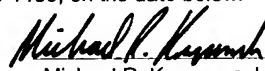
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December 28, 2004

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
December 28, 2004	
Date	Michael R. Krawzsenek

MS MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 10/827,114 entitled "HEAT TRANSFER PROBE" – Jeffrey I. Frank et al.*
Our reference: ARCD:394US
Client reference: UCHI 971

Sir:

Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed June 28, 2004;
- (2) Two Declarations;
- (3) Power of Attorney;
- (4) Request for Extension of Time;
- (5) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b)-Filing Date Granted;
- (6) Check in the amount of \$2055.00; and

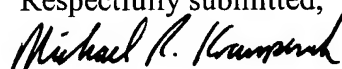
25457392.1

Commissioner for Patents
December 28, 2004
Page 2

- (7) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included, the Commissioner is authorized to deduct or credit the appropriate fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/ARCD:394US.

Respectfully submitted,



Michael R. Krawczenek (51,898) for:

Michael C. Barrett

Reg. No. 44,523

MCB/mar
Encl.: as noted.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Jeffrey I. Frank et al.

Serial No.: 10/827,114

Filed: April 19, 2004

For: HEAT TRANSFER PROBE

Group Art Unit: 3739

Examiner: Unknown

Atty. Dkt. No.: ARCD:394US

CERTIFICATE OF MAILING
37 C.F.R. 1.8

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December 28, 2004

Date

Michael R. Krawzsenek
Michael R. Krawzsenek

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION FILED UNDER 37 CFR 1.53(B)**

MS MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b), dated June 28, 2004, enclosed are:

- (a) Two Declarations executed on behalf of Jeffrey I. Frank, Axel J. Rosengart, Ken Kasza, Wenhua Yu, Tai-Hsin Chien, and Jeff Franklin;
- (b) A Power of Attorney on behalf of The University of Chicago;

~~Repln. Ref: 01/05/2005 DEHMANU1 0023201400~~
~~DAH: 501212 Name/Number: 10027114~~
~~EC: 9204 - \$105.00 CR~~

- (c) Our check in the amount of \$2055.00 to cover the basic filing fee (\$395.00 – utility small entity); surcharge for late filing (\$65.00); additional claims fee (\$800.00); four month extension of time fee (\$795.00);
- (d) A copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b); and
- (e) A Request for Extension of Time of four months to and including December 28, 2004. Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/ARCD:394US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Michael R. Krawtzenek for (S1, PP) Mr.

Michael C. Barrett

Reg. No. 44,523

Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: December 28, 2004



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/827,114	04/19/2004	Jeffrey I. Frank	ARCD:394US

CONFIRMATION NO. 1458

FORMALITIES LETTER



OC000000013090258

Michael C. Barrett, Esq.
FULBRIGHT & JAWORSKI, L.L.P.
Suite 2400
600 Congress Avenue
Austin, TX 78701

01/05/2005 DEMMANU1 00000003 10827114

01 FC:2001

395.00 OP

Date Mailed: 06/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Repln. Ref: 01/05/2005 DEMMANU1 0023201400
DAH:501212 Name/Number:10827114
FC: 9204 \$105.00 CR

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Adjustment date: 01/05/2005 DEMMANU1
01/04/2005 DEMMANU1 00000035 10827114
02 FC:2011 -150.00 OP
03 FC:2111 -250.00 OP
04 FC:2311 -100.00 OP

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$646** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1546** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

01/04/2005 DEMMANU1 00000035 501212 10827114
02 FC:2011 150.00 OP
03 FC:2111 250.00 OP
04 FC:2311 100.00 OP
05 FC:2051 65.00 OP
06 FC:2201 500.00 OP
07 FC:2202 195.00 OP
105.00 DA

- Total additional claim fee(s) for this application is **\$646**
 - **\$430** for **5** independent claims over 3.
 - **\$216** for **12** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE